

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUSINESS CASUAL HOLDINGS, LLC,

21-cv-2007 (JGK)

Plaintiff,

ORDER

- against -

TV-NOVOSTI,

Defendant.

JOHN G. KOELTL, District Judge:

The Court has reviewed the Report and Recommendation of Magistrate Judge Lehrburger dated February 8, 2023. The Report recommends that the Court enter judgment in favor of the plaintiff against the defendant for \$75,000 in statutory damages, and \$134,785.64 in attorney's fees. Pre-judgment interest should be calculated at the rate of 9% on \$25,000 from January 2, 2021; 9% on \$25,000 from February 9, 2021; and 9% on \$25,000 from February 15, 2021. Post-judgment interest should accrue on the judgment at the federal rate. The plaintiff should be afforded the opportunity to take third-party damages discovery and to seek leave to amend the judgment within six months of entry of judgment.


On March 13, 2023, the defendant, appearing without counsel, filed a "Review" of the Report and Recommendation. ECF No. 84. On March 15, 2023, this Court struck the "Review" because the defendant, a corporation, can appear in this case only through counsel, and stayed the action until May 15, 2023 for the defendant to retain counsel. ECF No. 81. The defendant has not

appeared by counsel by that date. No objections have been filed to the Report and Recommendation, and the time for any objections has passed. In any event, the Court finds that the Report and Recommendation is well reasoned and correct. The Court therefore adopts the Report and Recommendation. The Clerk is directed to enter judgment in favor of the plaintiff, and against the defendant, as set forth in the Report and Recommendation and as summarized above.

The Clerk is directed to enter judgment accordingly and to close this case. The plaintiff may take post-judgment discovery to support any motion to amend the judgment within six months after entry of judgment.

SO ORDERED.

**Dated: New York, New York
June 28, 2023**



John G. Koeltl
United States District Judge